

# UNITED STATES DISTRICT COURT

for the  
Northern District of Ohio

IN RE NATIONAL PRESCRIPTION OPIATE )  
LITIGATION )

This document relates to: )

MDL No. 2804

Case No. 17-md-2804

All cases )

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*Plaintiff*

v. )

ALLERGAN FINANCE, LLC f/k/a ACTAVIS,  
INC. f/k/a WATSON PHARMACEUTICALS )

---

*Defendant, Third-party plaintiff*

v. )

PFIZER INC. and KING PHARMACEUTICALS,  
INC. n/k/a KING PHARMACEUTICALS LLC )

---

*Third-party defendant*

## SUMMONS ON A THIRD-PARTY COMPLAINT

To: KING PHARMACEUTICALS, INC. n/k/a KING PHARMACEUTICALS LLC  
C/O THE CORPORATION TRUST COMPANY  
CORPORATION TRUST CENTER  
1209 ORANGE STREET  
WILMINGTON, DE 19801

A lawsuit has been filed against defendant Allergan Finance, LLC f/k/a Actavis, Inc. f/k/a Watson Pharmaceuticals, Inc., who as third-party plaintiff is making this claim against you to pay part or all of what the defendant may owe to the plaintiff's in each individual case filed in the MDL In Re National Prescription Opiate Litigation.

Within 21 days after service of this summons on you (not counting the day you received it) - or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(3) - you must serve on the plaintiff and on the defendant an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the defendant or defendant's attorney, whose name and address are:

John R. Mitchell  
Stephanie M. Chmiel  
Matthew D. Ridings  
THOMPSON HINE LLP  
3900 Key Center  
127 Public Square  
Cleveland, OH 44114-1291  
(216) 566-5500

It must also be served on the plaintiff or plaintiff's attorney, whose name and address are:

See Attached Exhibit A

If you fail to respond, judgment by default will be entered against you for the relief demanded in the third-party complaint. You also must file the answer or motion with the court and serve it on any other parties.

The plaintiff's complaints have been filed under seal. To the extent that you do not already have a copy of these complaints, please contact the defendants attorneys listed above. You may - but are not required to - respond to them.

Date: 8/15/18

*SANDY OPACICH, CLERK OF COURT*

/s/Robert Pitts

*Signature of Clerk or Deputy Clerk*



**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_ was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_, a person of suitable age and discretion who resides there, on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*:

My fees are \$\_\_\_\_\_ for travel and \$\_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:

**Exhibit A**  
**Plaintiffs' Liaison Counsel**

Peter H. Weinberger  
Spangenberg, Shibley & Liber  
Ste. 1700  
1001 Lakeside Avenue, E  
Cleveland, OH 44114

Steven J. Skikos  
Skikos Crawford Skikos & Joseph - San  
Francisco  
Ste. 2830  
1 Sansome Street  
San Francisco, CA 94104

Troy A. Rafferty  
Levin Papantonio Thomas Mitchell Rafferty &  
Proctor  
Ste. 600  
316 South Baylen Street  
Pensacola, FL 32502

Bonnie A. Kendrick\*  
Dugan Law Firm  
Ste. 1000  
365 Canal Street  
New Orleans, LA 70130

Frank L. Gallucci, III\*  
Plevin & Gallucci  
2222 Illuminating Bldg.  
55 Public Square  
Cleveland, OH 44113

James R. Dugan, II\*  
Dugan Law Firm  
Ste. 1000  
365 Canal Street  
New Orleans, LA 70130

Michael J. Fuller, Jr.  
McHugh Fuller Law Group  
97 Elias Whiddon Road  
Hattiesburg, MS 39402

Paul T. Farrell, Jr.\*  
Greene Ketchum Farrell Bailey & Tweel  
419 Eleventh Street  
Huntington, WV 25701

Peter James Mougey\*  
Levin Papantonio Thomas Mitchell Rafferty &  
Proctor  
Ste. 600  
316 South Baylen Street  
Pensacola, FL 32502

**Plaintiffs' Lead Counsel**

Joseph F. Rice  
Motley Rice - Mount Pleasant  
17th Floor  
28 Bridgeside Blvd.  
Mount Pleasant, SC 29464

Paul J. Hanly, Jr.  
Simmons Hanly Conroy  
112 Madison Avenue  
New York, NY 10016

Amy M. Carter  
Simon Greenstone Panatier Bartlett  
Ste. 610  
3232 McKinney Avenue  
Dallas, TX 75204

\* - Also Plaintiffs' Lead Counsel

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INC. n/k/a KING PHARMACEUTICALS LLC**

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*Third-party defendant*

## SUMMONS ON A THIRD-PARTY COMPLAINT

To: PFIZER INC.  
C/O CT CORPORATION SYSTEM  
111 EIGHTH AVENUE  
NEW YORK, NEW YORK 10011

A lawsuit has been filed against defendant Allergan Finance, LLC f/k/a Actavis, Inc. f/k/a Watson Pharmaceuticals, Inc., who as third-party plaintiff is making this claim against you to pay part or all of what the defendant may owe to the plaintiff's in each individual case filed in the MDL In Re National Prescription Opiate Litigation.

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John R. Mitchell  
Stephanie M. Chmiel  
Matthew D. Ridings  
THOMPSON HINE LLP  
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127 Public Square  
Cleveland, OH 44114-1291  
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See Attached Exhibit A

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Date: 8/15/18

*SANDY OPACICH, CLERK OF COURT*

/s/Robert Pitts

*Signature of Clerk or Deputy Clerk*



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☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_, a person of suitable age and discretion who resides there, on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*:

My fees are \$\_\_\_\_\_ for travel and \$\_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

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